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March 17, 1993

Ms. Donna R. Searcy  
Secretary,  
Federal Communications Commission  
1919 M Street, N.W., Room 222  
Washington, D.C. 20554

Re: ET Docket Nos. 90-314 and 92-9;  
PR Docket No. 92-235  
**Notice of Ex Parte Presentation**

Dear Ms. Searcy:

In accordance with Section 1.1206(a) of the Commission's Rules and Regulations, there is provided herewith a summary of an ex parte presentation made this day to Bruce A. Franca, Deputy Chief Engineer, Office of Engineering Technology and to Brian Fontes, Esquire, and Maureen O'Connell, Esquire in the office of Acting Chairman James Quello, by Mr. Harold Bass of the American Petroleum Institute (API), and the undersigned, attorney for API, concerning the above-referenced Commission notice and comment rule making proceedings.

The positions presented on behalf of API in this meeting are summarized in the enclosed documents.

Please place a copy of this letter in the public files for the proceedings referenced above.

Very truly yours,

*Wayne V. Black*

Wayne V. Black  
Attorney for the  
American Petroleum Institute

Enclosure

cc: Mr. Bruce A. Franca  
Brian Fontes, Esquire

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**MAR 17 1993**

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

**ISSUE PRESENTED IN PROCEEDING:** Transition plan for the 2 GHz spectrum bands to "emerging technologies," rechannelization of spectrum above 3 GHz to reaccommodate displaced 2 GHz Operational-Fixed Service (OFS) licensees.

1. The Commission proposes a voluntary "transition period" during which incumbent licensees could be negotiated away from current 2 GHz frequency assignments; following this period involuntary relocation proceedings would be available to emerging technologies licensees for the remaining additional 2 GHz spectrum.

- Some provision for narrowband channels in the 4 GHz range must be made since not every displaced licensee will require wideband replacement facilities.
- The Commission must take steps to maximize competition among microwave equipment manufacturers.
- The Commission must not adopt common carrier coordination procedures for replacement spectrum nor should the Commission adopt a finder's preference with regard to rechannelized spectrum.

EX PARTE PRESENTATION  
ON BEHALF OF THE  
AMERICAN PETROLEUM INSTITUTE

ET Docket No. 90-314

ISSUE PRESENTED IN PROCEEDING: Introduction of personal

**EX PARTE PRESENTATION  
ON BEHALF OF THE  
AMERICAN PETROLEUM INSTITUTE**

**PR Docket No. 92-235**

**ISSUE PRESENTED IN PROCEEDING:** The Commission proposes to require employment of narrowband technologies in shared bands below 512 MHz. The move to narrowband technology would be accomplished in two stages, the first of which would involve reduction of transmitter frequency deviation thereby reducing current occupied bandwidths. This stage would be completed by January 1, 1996. Stage two would require replacement of existing equipment with new narrowband equipment in market-by-market increments to take effect between January 1, 2004 and January 1, 2012.

1. API supports Commission efforts to make spectrum usage more efficient and to create greater capacity within the limited spectrum resource.

2. However, API believes that the Commission's plan and proposed time tables are unrealistic and impractical.

3. Due to a lack of sufficient personnel resources to implement the required changes in all transmitters including those employed in major multi-installation telecommunications systems, it will be impossible for many industrial users to meet the proposed equipment change-over time tables.

4. Moreover, financial constraints will, in many instances, render large telecommunications system operators unable to reallocate dwindling company resources to modification of telecommunications systems in strict accordance with the Commission's proposed time table.

5. Final equipment transition and design features must be closely coordinated with equipment manufacturers to assure that an adequate supply of affordable equipment will be on the market when its use is mandated by the FCC.